



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX**

IN THE MATTER OF:)
)
ALL METALS PROCESSING COMPANY)
AND)
THE ESTATE OF HELEN L. POWERS) U.S. EPA Docket No. 9-2007-11
) UNILATERAL ADMINISTRATIVE
) ORDER FOR THE PERFORMANCE
) OF A REMOVAL ACTION
)
Proceeding Under Section 106(a))
of the Comprehensive Environmental)
Response, Compensation, and)
Liability Act of 1980,)
42 U.S.C. § 9606(a).)
)

This Order pertains to a former metal plating facility located at 264 W. Spazier Avenue, Burbank, California. The Property consists of a 7,000 square foot brick and mortar building located in a mixed commercial and residential area of Burbank. This Order requires the former tenant and operator, All Metals Processing Company and the owner of the facility, the Estate of Helen L. Powers, to conduct Removal Actions described herein to abate an imminent and substantial endangerment to the public health, welfare or the environment that may be presented by the actual or threatened release of hazardous substances at or from the Property.

I. AUTHORITY

1. This Unilateral Administrative Order ("Order") is issued pursuant to the authority vested in the President of the United States by Section 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, 42 U.S.C. § 9606(a), as amended by the Superfund Amendments and Reauthorization Act of 1986, and the Small

Business Liability Relief and Brownfields Revitalization Act of 2002 ("CERCLA"). The President delegated this authority to the Administrator of the United States Environmental Protection Agency ("EPA" or "Agency") by Executive Order 12580, January 23, 1987, 52 Fed. Reg. 2923, and further delegated it to the Assistant Administrator for Solid Waste and Emergency Response and the Regional Administrators by EPA Delegation Nos. 14-14-A and 14-14-B. This authority has been duly redelegated to the Branch Chief, Superfund Division, EPA Region 9 ("Branch Chief"), by delegations dated September 29, 1997, and November 16, 2001.

II. PARTIES BOUND

2. This Order shall apply to and be binding on All Metals Processing Company, a California Corporation, and the Estate of Helen L. Powers (individually and collectively "Respondent" or "Respondents." Respondents are jointly and severally responsible for carrying out all activities required by this Order. This Order shall be binding on Respondents and any agents, officers, employees, successors and assigns. Notwithstanding the terms of any contract or agreement, Respondents are responsible for compliance with this Order and for ensuring that their employees, contractors, and agents comply with this Order. Respondents are jointly and severally liable for carrying out all activities required by this Order.

3. No change in ownership or operational status will alter Respondents' obligations under this Order.

4. Notwithstanding the terms of any contract or agreement, Respondents are responsible for compliance with this Order and for ensuring that all employees, contractors, and agents comply with this Order. Respondents shall provide a copy of this Order to all contractors, subcontractors, and consultants that are retained by them to perform the work required by this Order within three (3) working days after the Effective Date of this Order or within three (3)

working days of retaining their services, whichever is later.

5. Respondents may not convey any title, easement, or other interest that they may have in any property comprising the Site, as the term "Site" is defined below, without a provision permitting the continuous implementation of the provisions of this Order. If Respondents wish to transfer any title, easement, or other interest that they may have in any property comprising the Site, Respondents shall provide a copy of this Order to any subsequent owner(s) or successor(s) before any ownership rights are transferred. In such case, Respondents shall advise EPA no less than thirty (30) Days prior to any anticipated transfer of interest.

III. DEFINITIONS

6. Unless otherwise expressly provided herein, the terms used in this Order that are defined in CERCLA or in regulations promulgated under CERCLA shall have the meaning assigned to them in CERCLA or in such regulations. Whenever the terms listed below are used in this Order, or in the exhibits attached hereto and incorporated hereunder, the following definitions shall apply:

"Days" shall mean consecutive calendar days unless expressly stated otherwise.

"Working days" shall mean consecutive calendar days other than a Saturday, Sunday, or federal holiday. In computing any period of time under this Order where the last day would fall on a Saturday, Sunday, or federal holiday, the period shall run until the close of business of the next working day.

"CERCLA" shall mean the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 and by the Small Business Liability Relief and Brownfields Revitalization Act of 2002, 42 U.S.C. §§ 9601, *et seq.*

"EPA" shall mean the United States Environmental Protection Agency and any successor departments or agencies of the United States.

"National Contingency Plan" or "NCP" shall mean the National Oil and Hazardous Substances Pollution Contingency Plan promulgated pursuant to Section 105 of CERCLA, 42 U.S.C. § 9605, codified at 40 C.F.R. Part 300.

"Paragraph" shall mean a portion of this Order identified by an Arabic numeral.

"Property" shall mean the area in and around what is known as the former All Metals Process Company facility, located at 264 W. Spazier Ave., Burbank, California, Partial Lot 39, Tract Number 8190, Recorder's Map Reference Map 87, Pg79; Los Angeles County Assessor's Parcel Number 5625-015-006, and EPA No. CAD 008297996.

"RCRA" shall mean the Solid Waste Disposal Act, as amended, 42 U.S.C. §§ 6901, *et seq.* (also known as the Resource Conservation and Recovery Act).

"Removal Action Memorandum" or "Action Memorandum" shall mean the EPA Region 9 Superfund decision document, dated July 3, 2007 and signed by Daniel A. Meer, which selected CERCLA response actions for the Property. The Removal Action Memorandum is included in this Order as Appendix A.

"Response Action" or "Removal Action" shall be those specific work items Respondents are required to perform at the Site pursuant to this Order, as set forth in Section IX of this Order.

"Section" shall mean a portion of this Order identified by a Roman numeral, unless otherwise stated.

"Site" shall mean the building located at 264 W. Spazier Ave, Burbank, California and other real property at which hazardous substances exist from the operation of the facility.

"State" shall mean the state of California, and all of its political subdivisions, including the Central Valley Regional Water Quality Control Board.

"Unilateral Order" or "Order" shall mean this Unilateral Administrative Order, EPA docket number 9-2007-11 and any exhibits attached hereto. In the event of a conflict between this Order and any exhibit, this Order shall control.

"United States" shall mean the United States of America.

IV. FINDINGS OF FACT

A. Site description

7. The Site consists of a 7,000 square foot brick and mortar building located at 264 W. Spazier Ave., Burbank, California. The Site is located at the end of a cul-de-sac in a mixed residential and commercial area of Burbank. An open concrete flood control channel is located along the northeast property line. Directly to the east of the site is an apartment complex. A graphics arts business is next door to the south. A commercial plumbing supply business is across the street to the west. Directly across the flood control channel to the north is single and multiple family residential. The site is located in Area 2 (Glendale) San Fernando Valley NPL Sites.

8., The building has been operated as a metal plating facility for at least 15 years. Several metal plating lines were operated at the facility, including a cadmium plating line, a zinc plating line, a nickel plating line, a bronze plating line, and chromium conversion coating.

9. Following eviction of All Metals Processing Company in mid-April 2007, hundreds of drums of hazardous wastes and tanks of plating chemicals remain abandoned onsite by the former tenant, All Metals Processing Company.

B. Site ownership and operation

10. The Site is currently owned by the Estate of Helen L. Powers. The Site was owned by Helen L Powers since approximately 1974. Beginning in 1992 or earlier, All Metals Processing Company leased the property from the Helen L. Powers and conducted a metal plating business at the Site. On June 21, 1994, Helen L. Powers transferred the Property to the Helen L. Powers Revocable Trust. On December 1, 2004, the Helen L. Powers Revocable Trust transferred the property back to Helen L. Powers. Helen L. Powers died on April 7, 2006. The Estate of Helen L. Powers currently owns the property. The Estate evicted All Metals Processing Company from the property on or about April 15, 2007. The building is currently unoccupied.

C. Enforcement History

11. On September 28, 2004, EPA's RCRA program conducted a compliance evaluation inspection at the facility, jointly with the California Regional Water Quality Control Board. Based on the inspection and follow-up information, EPA alleged that All Metals Processing Company and Helen L. Powers Revocable Trust, the owner of the facility at the time, had violated California's hazardous waste statute and regulations, implementing California's hazardous waste program authorized under Subtitle C of RCRA.

12. On December 1, 2004, the Helen L. Powers Revocable Trust transferred the Property back to Helen L. Powers. On December 10, 2004 EPA issued an administrative order pursuant to RCRA Section 3013, 42 U.S.C. § 6934, requiring All Metals Processing Company to prepare a written proposal to carry out monitoring, testing, analyses, and reporting to determine the nature and extent of hazardous wastes at the All Metals facility. All Metals hired a consultant who did some limited sampling and analyses at the facility. However, All Metals did not provide EPA with the written proposal required under the RCRA Section 3013 Order.

13. On March 17, 2005, EPA sent All Metals Processing Company a letter notifying

All Metals that it intended to bring an administrative action against All Metals Processing Company for alleged violations of RCRA at the All Metals facility. On December 21, 2005, All Metals submitted an Interim Corrective Action Plan to EPA.

14. On September 28, 2006, EPA sent a Notice of Violation, Compliance Order and Notice of Right to Request a Hearing to All Metals Processing Company and to Helen L. Powers, the trustee for the Helen L. Powers Revocable Trust. The attorney for the Estate of Helen L. Powers filed an answer which indicated that Helen L. Powers had died and the Property had been transferred from the Trust to her before her death. Therefore, the Estate of Helen L. Powers held ownership to the Property. All Metals Processing Company never filed an answer, and EPA obtained a default judgment against All Metals Processing Company on the issue of RCRA liability on May 18, 2007.

15. Following eviction of All Metals Processing Company from the Site by the Estate of Helen L. Powers, EPA and the attorney for the Estate continued negotiations to try to reach an agreement whereby the Estate would clean up the Site. The Estate claimed that it lacked the financial resources to clean up the Site unless it could lease the Property to another metal plating operator to allow generation of income to allow the cleanup to move forward.

16. EPA contacted the City of Burbank to determine whether the City was planning on issuing the necessary permits to a new metal plating operator. Following an exchange of information concerning the Site between EPA and the City of Burbank, the Los Angeles County Fire Department, Health Hazardous Materials Division ("HHMD") investigated the Site on June 6, 2007 and notified EPA's removal program of its findings.

17. A Department of Public Works (DPW) easement, located at the east side of the building, separates the building from the open storm water channel by approximately 25 feet and

a 12% slope. The fenced area had yellow staining on the dirt at the northeast corner and the exterior wall above had areas of encrusted yellow staining. HHMD samples of this area indicated hexavalent chromium at approximately 18,000 ppm. HHMD data also indicated RCRA hazardous waste levels of chromium and cadmium. The samples document the presence of Federal Hazardous Wastes D006 (cadmium), D007 (chromium) and F006 (spent cyanide plating solution). On the southeast corner of the building the brick and mortar have deteriorated from contact with acidic material. It appears that the brick and the mortar have been eaten away and were encrusted both dark and light colored solid material. The south side of the building was adjacent to an apartment building.

18. On June 12, 2007, EPA received a written Access Authorization from the Attorney for the Estate of the deceased property owner, dated June 11, 2007. On June 14, 2007, On Scene Coordinators ("OSCs"), Christopher Weden and Robert Wise, START Contractors, and HHMD conducted an preliminary assessment of the site. During the June 14, 2007 assessment, a large quantity of liquid and solid hazardous waste streams were observed. Four plating lines containing acidic, caustic and cyanide solutions were observed. A large number of containers and drums containing a variety of hazardous substances were also observed. According to a former employee, the drums contain the facility's waste. Some of these drums had no accumulation start date or they exceeded the accumulation start date. Several of the drums were in poor condition, and metal corrosion was evident. Many of the drums were in such poor condition they would no longer comply with DOT hazardous material packaging and shipping regulations. Several vats also had visual corrosion and appeared to be leaking.

19. On June 21, 2007, OSC Wise and START conducted a removal assessment. The assessment included the inventory, sampling and field hazard categorization of all containers

larger than 5 gallons. Based on the inventory, there are more than 90 vats containing from 100 gallons to over 500 gallons of metal plating chemicals. A number of the vats are visibly corroded and leaking. In addition, there are 157 drums of hazardous wastes were present at the Site.

20. Beginning on June 22, 2007, EPA took emergency actions to stabilize the Site. The Emergency and Rapid Removal Service (ERRS) repackaged one leaking tank, 1 unstable vat and an overflowing secondary containment into five 250 gallon tanks. The tanks will be stored on-site until disposal can be arranged during the removal.

21. On June 28, 2007, ERS participated in a multi-agency search warrant served by the FBI to collect information on the abandonment of the plating shop as part of the joint LACOFD/FBI criminal investigation. Agencies participating included EPA ERS and its contractors, EPA Civil Investigators and its contractors, DTSC, Burbank Fire Department, Los Angeles Co. Public Works, U.S. Attorney's Office, LACOFD and FBI. During the warrant, documents and computers were seized and 17 samples were collected by a joint team of OSC Wise, START and FBI's Hazardous Materials Response Team. The ERRS contractor has initiated 24 hour security pending commencement of removal activities which will commence sometime after July 16, 2007.

D. Release Characteristics

22. Chromium occurs mainly in three forms. Metallic chromium (Cr[0]) is a steel-gray solid with a high melting point that is used to make steel and other alloys. Chromium metal does not occur naturally; it is produced from chrome ore. Trivalent chromium (Cr[III]) occurs naturally in rocks, soil, plants, animals, and volcanic emissions. Cr(III) is used industrially as a brick lining for high-temperature industrial furnaces and to make metals, metal alloys, and chemical compounds. Hexavalent chromium (Cr[VI]) may be produced industrially when Cr(III)

is heated in the presence of mineral bases and atmospheric oxygen (for instance, during metal finishing processes). Cr (VI) may be present at the Facility.

23. Cr(VI) is a human carcinogen and can cause other deleterious health effects including kidney and liver damage. Cr(VI) can enter the body when people breathe air, eat food, or drink water containing it. Cr(VI) can cause a wide range of other health effects. Inhaling relatively high concentrations of some forms of Cr(VI) can cause a runny nose, sneezing, itching, nosebleeds, ulcers, and holes in the nasal septum. Short-term high-level inhalational exposure can cause adverse effects at the contact site, including ulcers, irritation of the nasal mucosa, and holes in the nasal septum. Ingestion of very high doses of Cr(VI) can cause kidney and liver damage, nausea, irritation of the gastrointestinal tract, stomach ulcers, convulsions, and death. Dermal exposures may cause skin ulcers or allergic reactions. Studies of mice fed high doses of Cr(VI) have shown reproductive effects including reduced litter size and decreased fetal weight. Because chromium can go into solution and move through soil, chromium pools and blooms (the crystallized chromium left on the surface when the water evaporates) may occur some distance from the original site of contamination.

24. Cadmium is a by-product of the primary non ferrous metal industry. Cadmium plating provides outstanding corrosion protection to metallic structures together with low friction coefficients and low electrical resistivity.

25. Cadmium mainly accumulates in the kidneys. At high levels it can reach a critical threshold and can lead to serious kidney failure. However, the most recent studies (Buchet/Bernard, 1998) have shown that these effects are reversible, at least at low exposures, once exposure to cadmium is reduced. Recent studies determined that there is limited evidence for carcinogenicity of cadmium to humans and sufficient evidence for carcinogenicity to animals.

However, elevated levels of respiratory, prostate, and other cancers have been reported in cadmium-exposed workers. The evidence is strongest for lung cancer.

26. Copper, as Blue Copper Sulfate Crystals, can cause irreversible eye damage and severe skin irritation. It is harmful if swallowed or absorbed through the skin. Inhalation of dust may cause irritation to the mucous membranes and upper respiratory tract. Contact with wet skin may cause irritation and burns. Copper Sulfate is toxic to fish and plants if released into rivers and streams via storm sewers.

27. Cyanide can exist as a gas, liquid or white crystal powder. Hydrogen cyanide is a colorless gas with a faint, bitter almond like odor. Sodium cyanide and potassium cyanide are both white solids with a bitter, almond like odor in damp air. Metal plating solutions may contain one or more of these cyanide compounds. Breathing the gas, eating the liquid or solid forms can make people suddenly lose consciousness or cause death.

28. Cyanide can be absorbed through intact skin, although most reported cases of absorption have involved whole-body immersion in cyanide solutions or large-area burns with molten cyanide solutions. Nitride compounds are well absorbed through intact skin and may cause a delayed onset of symptoms following exposure by this route. A concentration of hydrogen cyanide in gaseous form which poses immediate danger to human health is 50 ppm. Sulfuric acid is a corrosive material that can burn the skin, eyes, and respiratory tract on direct contact or inhalation of vapors. It can cause acute pulmonary edema or chronic pulmonary diseases from inhalation. When heated or reacted with water, it produces toxic and corrosive fumes.

29. Nitric acid is a corrosive material that can burn the skin, eyes, and respiratory tract on direct contact or inhalation of vapors. It can cause acute pulmonary edema or chronic

pulmonary diseases from inhalation. When heated or reacted with water, it produces toxic and corrosive fumes.

30. Hydrochloric acid is a strong corrosive that can burn the skin, eyes and mucous membranes on dermal contact. It also is moderately irritating to the respiratory tract when inhaled. Hydrochloric acid produces toxic and corrosive fumes when exposed to water.

31. Sodium hydroxide is a strongly alkaline and corrosive material. Sodium hydroxide has an irritating effect on all body tissue, causing burns and deep ulcerations. Inhalation can cause damage to the upper respiratory tissue and lung tissue, with effects ranging from mucous membrane irritation to severe pneumonitis.

E. Administrative Record

32. The administrative record supporting this action is available for review at the EPA, Region 9 offices located at 75 Hawthorne Street, San Francisco, California.

V. CONCLUSIONS OF LAW

33. The Site is a "facility" as that term is defined in Section 101(9) of CERCLA, 42 U.S.C. § 9601(9).

34. Respondent, All Metals Processing Company, is a "person" as that term is defined in Section 101(21) of CERCLA, 42 U.S.C. § 9601(21).

35. Respondent, The Estate of Helen L. Powers, is a "person" as that term is defined in Section 101(21) of CERCLA, 42 U.S.C. § 9601(21).

36. The Respondents are responsible parties under Section 107(a) of CERCLA, 42 U.S.C. § 9607(a), and are jointly and severally liable for performance of response action and for response costs incurred and to be incurred at the Site. Respondent All Metals Processing Company operated the Site as a metal plating facility from at least 1992 until 2007. Respondent

Estate of Helen L. Powers is the successor in interest to The Helen L. Powers Revocable Trust and Helen L. Powers, the owners of the Site during the time that the Site was operated by All Metals Processing Company. Respondents are "liable" within the meaning of Section 107(a) of CERCLA, 42 U.S.C. § 9607(a)(1) and (2), and are subject to this Order under Section 106(a) of CERCLA, 42 U.S.C. § 9606(a).

37. The contamination found at the Site as identified in the Findings of Fact and Action Memorandum are "hazardous substances" as that term is defined in Section 101(14) of CERCLA, 42 U.S.C. § 9601(14) and by meeting requirements set forth in 40 C.F.R. § 261.24. Hazardous substances disposed or dumped at or around the Property constitute a "release," as that term is defined in Section 101(22) of CERCLA, 42 U.S.C. § 9601(22).

38. The actual or threatened release of hazardous substances from the Site constitutes an imminent and substantial endangerment to the public health or welfare or the environment, within the meaning of Section 106(a) of CERCLA, 42 U.S.C. § 9606(a).

VI. DETERMINATIONS

Based on the Findings of Fact and the Conclusions of Law stated herein, the Branch Chief has made the following determinations:

39. That an actual or threatened release of hazardous substances from the Site presents an imminent and substantial endangerment to the public health or welfare or the environment.

40. That conditions at the Site constitute a threat to public health or welfare or the environment based on consideration of the factors stated in the NCP at 40 C.F.R. § 300.415(b), and that the actions required by this Order are necessary to protect the public health or welfare or the environment.

41. That the removal action required by this Order, if properly performed, will be consistent with the NCP and CERCLA, and is appropriate to protect the public health or welfare or the environment.

VII. NOTICE TO THE STATE

42. Pursuant to Section 106(a) of CERCLA, 42 U.S.C. § 9606(a), EPA has notified the State of the issuance of this Order by providing a copy of this Order.

VIII. EFFECTIVE DATE

43. This Order is deemed effective on receipt (the "Effective Date"), unless a conference is requested as provided herein. If such a conference is requested, this Order shall be effective the second day following the day of such conference unless modified in writing by EPA.

IX. ORDER

44. Based on the Findings of Fact, Conclusions of Law, and Determinations, EPA hereby orders Respondents to perform the specific work set forth below under the direction of the EPA On Scene Coordinator ("OSC"), as designated in Section XIV, and to comply with all requirements of this Order until EPA provides notice that the Response Action is complete.

A. Work to be Performed

45. Respondents shall immediately restrict access to the Property for the duration of the response action required by this Order, Respondents shall not allow any soil or waste material to be removed from or brought into the Property at the Site without prior EPA approval.

46. Within 5 Days after the Effective Date of this Order, Respondents shall submit to EPA for approval, a Work Plan for the removal of hazardous substances from the Site. The Work Plan shall provide a concise description of the activities to be conducted to comply with

the requirements of this Order, and shall include a proposed schedule for implementing and completing such activities. The Work Plan, which will be subject to EPA approval, shall comply with the requirements provided below:

- A) Identify all chemical compounds in all vats and other containers, including sampling and analysis of unknown chemicals and all chemicals in containers without marks or labels or with unreadable marks or labels. Characterize any readily accessible grossly contaminated equipment, structures, and debris for proper disposal or other disposition;
- B) Segregate all hazardous substances to ensure incompatible substances pose no threat of violent reaction, fire, or explosion and remove non-hazardous chemicals to the appropriate solid waste disposal facility or recycling facility or return to distributor/manufacturer. Remove all hazardous substances from the Site and dispose of in the appropriate hazardous waste disposal facility. Removal operations may include decontamination or demolition of all plating equipment, decontamination or demolition of all on-site structures, removal of any subsurface soil beneath the building and removal of contaminated soil on the flood control easement;
- C) Properly containerize into United Nations specification packaging, transport and dispose in accordance with all applicable or appropriate regulations, all hazardous substances at the Site or, where feasible,

implement alternative treatment or reuse/recycling options. Each transfer of hazardous substances, pollutants or contaminants off-site must be consistent with Section 121(d)(3) of CERCLA, 42 U.S.C. § 9621(d)(3), and the EPA procedures for planning and implementing off-site Response Actions established at 40 CFR § 300.440;

D) Perform air monitoring and sampling in accordance with Occupational Safety and Health Administration (“OSHA”) regulations during appropriate phases of the removal action, especially when there is a potential for airborne releases of toxic air contaminants. Use operational controls such as dust containment or suppression to abate fugitive dust emissions. The project Health and Safety Plan meeting OSHA’s criteria at 29 CFR § 1910.120 must be maintained at the Site during all phases of the response;

E) Within five (5) Days after the conclusion of work described in subparagraphs A through D above, Respondents shall submit to EPA for approval, a sampling and remediation plan to determine the extent of soil contamination beneath and adjacent to plating areas, treatment areas, flood control right of way and any other sensitive areas identified throughout the course of work, and to provide the process for excavation and removal of contaminated soils;

F) Excavate and remove all contaminated soils that may contribute to groundwater contamination and pursuant to the plan developed and approved as directed in sub-paragraph E, above and consistent with EPA's procedures for planning and implementing off-site response actions at 40 CFR 300.440;

G) Provide EPA a weekly progress report that summarizes work performed and work planned for the upcoming period, and which includes copies of all documentation related to off-site disposal or other disposition of wastes including, but not limited to, manifests, waste profiles and analytical data, and disposal costs. Send progress report via e-mail to OSC Christopher Weden at weden.christopher@epa.gov.

Work is to begin within 5 Days of the approval of the work plan by EPA.

47. Within five (5) Days of the Effective Date of this Order, the Respondents shall provide EPA with documentation that adequately demonstrates its financial ability to complete the work to be performed pursuant to this Order. Examples of adequate financial documentation that EPA may accept include, but are not limited to, a signed contract or guarantee on the part of the Respondent's contractor that it will complete the work to be performed (including payment terms, such as whether the contract is prepaid), an irrevocable letter of credit payable to EPA from a financial institution, a policy of insurance covering site Response Actions and contingent claims that provides EPA with acceptable rights as a beneficiary thereof, an escrow account for the value of the work to be performed; or a demonstration by the Respondents that they have adequate net worth and /or cash flow to pay for the work to be performed (which may include

financial statements, auditors' reports, and the like).

48. The Work Plan required in Paragraph 46 shall be reviewed by EPA, which may approve, disapprove, require revisions, or modify the Work Plan. Respondents shall prepare the Work Plan elements described below as separate documents for approval by EPA. Once approved, each element of the Work Plan shall be deemed to be incorporated into and made a fully enforceable part of this Order. The Respondents shall implement the Work Plan as finally approved by the EPA. In addition to the requirements listed in Paragraph 46, the Work Plan shall include:

A) Proof of compliance with 29 CFR 1910.120: Hazardous Waste Operations and Emergency Response (HAZWOPER). Documents required include:

1) The contractor's Written Safety and Health Program pursuant to 29 C.F.R. § 1910.120(b)(1). Separate Written Safety and Health Program plans must be provided for each contractor or subcontractor working on-site.

2) Proof of training pursuant to 29 C.F.R. § 1910.120(e).

3) Proof of compliance with 29 C.F.R. § 1910.134(c): Respiratory Protection Program.

B) Health & Safety Plan, prepared in accordance with EPA's Superfund Standard Operating Safety Guide, dated June 1992, which complies with all current OSHA regulations applicable to Hazardous Waste Operations and Emergency Response, 29 C.F.R. Part 1910. Respondents shall incorporate all changes to the Health & Safety Plan recommended by EPA and implement the Health & Safety Plan throughout the performance of the removal action; and

C) A Quality Assurance Project Plan ("QAPP") that is consistent with EPA Guidance

for Quality Assurance Project Plans (EPA QA/G-5); Preparation of a U.S. EPA Region 9 Field Sample Plan for EPA-Lead Superfund Projects (Document Control No.: 9QA-05-93); and Guidance for the Data Quality Objectives Process (EPA QA/G-4). Soil sampling activities shall utilize proper soil assessment techniques as defined in EPA Document SW-846, Chapter 9 (EPA Environmental Response Team Standard Operating Procedures) or appropriate ASTM standards.

49. Respondents shall provide EPA with a written report on completion of the transportation of hazardous substances or wastes for disposal or recycling. This report should contain a summary of the activities to comply with this Order. Within twenty-one (21) Days after completing the Response Action, Respondents shall provide EPA with this final summary report, which also shall include all invoices submitted by contractors (which shall identify specific work performed), and copies of all analytical data generated during the response action.

50. All documents, including technical reports, and other correspondence to be submitted by the Respondents pursuant to this Order, shall be sent by over-night mail to the following addressees or to such other addressees as EPA hereafter may designate in writing, and shall be deemed submitted on the date received by EPA.

Christopher Weden, Federal On-Scene Coordinator
US Environmental Protection Agency
EPA, Region 9, SFD-9-2
75 Hawthorne Street
San Francisco, CA 94105

Respondents shall submit two (2) copies of each document to EPA.

51. EPA will review, comment, and approve or disapprove each plan, report, or other deliverable submitted by Respondent. All EPA comments on draft deliverables shall be incorporated by the Respondent. EPA will notify the Respondents in writing of EPA's approval

or disapproval of a final deliverable. In the event of any disapproval, EPA will specify the reasons for such disapproval, EPA's required modifications, and a time frame for submission of the revised report, document, or deliverable. If the modified report, document or deliverable is again disapproved by EPA, EPA first shall notify the Respondents of its disapproval of the resubmitted report, document, or deliverable, and then may draft its own report, document or deliverable and incorporate it as part of this Order, may seek penalties from the Respondents for failing to comply with this Order, and may conduct the remaining work required by this Order and seek to recover costs from Respondent.

52. For purposes of this Order, EPA's authorized representatives will include, but not be limited to, consultants and contractors hired by EPA to oversee the activities required by this Order.

B. Selection of Contractor(s) and Subcontractor(s)

53. All work performed by or on behalf of Respondents pursuant to this Order shall be performed by qualified individuals or contractors with expertise in hazardous waste site investigation or remediation, unless agreed otherwise by EPA. Respondents shall, within five (5) Days after the Effective Date of this Order, notify EPA in writing of the name, title and qualifications of the individual(s) who will be responsible for carrying out the terms of this Order, and the name(s) of any contractor(s) or subcontractor(s). The qualifications of the persons, contractors, and subcontractors undertaking the work for Respondents shall be subject to EPA review and approval.

54. If EPA disapproves of any person's or contractor's technical or work-experience qualifications, EPA will notify the Respondents in writing. Respondents shall, within three (3) working days of Respondent's receipt of EPA's written notice, notify EPA of the identity and

qualifications of the replacement(s). Should EPA disapprove of the proposed replacement(s), Respondents shall be deemed to have failed to comply with the Order.

55. Respondents may propose to change the individual(s), contractor(s), or subcontractor(s) retained to direct and supervise the work required by this Order. If Respondents wish to propose such a change, Respondents shall notify EPA in writing of the name, title, and qualifications of the proposed individual(s), proposed contractor(s), or proposed subcontractor(s), and such individual(s), contractor(s) or subcontractor(s) shall be subject to approval by EPA in accordance with the terms of Paragraphs 53 and 54 above. The naming of any replacement(s) by Respondents shall not extend any deadlines required by this Order nor relieve the Respondents of any of their obligations to perform the work required by this Order.

56. Respondents will notify EPA of the respective field activities at least seventy-two (72) hours before initiating them so that EPA may adequately schedule oversight tasks.

57. Respondents shall submit to EPA a certification that Respondents or its contractor(s) and subcontractor(s) have adequate insurance coverage or other ability, subject to approval of EPA, to compensate for liabilities for injuries or damages to persons or property that may result from the activities to be conducted by or on behalf of Respondents pursuant to this Order. Adequate insurance shall include comprehensive general liability insurance and automobile insurance with limits of one million dollars, combined single limit. If the Respondents demonstrate by evidence satisfactory to EPA that any contractor or subcontractor maintains insurance equivalent to that described above, or insurance covering the same risks but in a lesser amount, then the Respondents need to provide only that portion of the insurance described above that is not maintained by such contractor or subcontractor. Respondents shall ensure that such insurance or indemnification is maintained for the duration of performance of

the work required by this Order. Respondents shall ensure that the United States is named as an additional insured on any such insurance policies.

C. General Provisions:

58. All work required by this Order shall be conducted in accordance with: CERCLA; the NCP; EPA Region 9 "Guidance for Preparing Quality Assurance Project Plans for Superfund Remedial Projects" (EPA, November 1992); any final amended or superseding versions of such documents provided by EPA; other applicable EPA guidance documents; any Work Plan or individual components approved pursuant to Paragraph 48 of this Order; and any report, document or deliverable prepared by EPA because Respondents failed to comply with this Order.

59. All plans, schedules, and other reports that require EPA's approval and are required to be submitted by the Respondents pursuant to this Order shall, after approval by EPA, be incorporated into and enforceable under this Order.

60. EPA will oversee Respondent's activities as specified in Section 104(a)(1) of CERCLA, 42 U.S.C. § 9604(a)(1). Respondents will support EPA's initiation and implementation of activities needed to carry out its oversight responsibilities. Respondents also shall cooperate and coordinate the performance of all work required to be performed under this Order with all other work being performed at the Site, including work performed by EPA, the State, or any other party performing work at the Site with the approval of EPA.

61. Respondents shall perform all actions required pursuant to this Order in accordance with all applicable local, state, and federal laws and regulations except as provided in Section 121(e) of CERCLA, 42 U.S.C. § 6921(e), and 40 C.F.R. §§ 300.400(e) and 300.415(j). In accordance with 40 C.F.R. § 300.415(j), all on-Site actions required pursuant to this Order shall, to the extent practicable, as determined by EPA, considering the exigencies of the situation,

attain applicable or relevant and appropriate requirements under federal environmental or state environmental or facility siting laws.

X. NOTICE OF INTENT TO COMPLY

62. Respondents shall, within three (3) working days of the Effective Date of this Order, provide written notice to EPA of Respondent's irrevocable intent to comply with this Order. Failure to respond, or failure to agree to comply with this Order, shall be deemed a refusal to comply with this Order. Such written notice shall be sent to:

Larry Bradfish
Office of Regional Counsel
United States Environmental Protection Agency
75 Hawthorne Street, Mailcode ORC-3
San Francisco, CA 94105
Telephone: 415-972-3934
Fax: 415-947-3571

XI. OPPORTUNITY TO CONFER

63. Respondents may, within three (3) Days of receipt of this Order, request a conference with the Section Chief of the Emergency Response Section in the Response, Planning and Assessment Branch in the EPA Region 9 Superfund Division, or whomever the Section Chief may designate. If requested, the conference shall occur within two (2) Days of the request, unless extended by mutual agreement of the Parties, at EPA's Regional Office, 75 Hawthorne Street, San Francisco, California.

64. At any conference held pursuant to Respondent's request, the Respondents may appear in person, or be represented by an attorney or other representative. If Respondents desire such a conference, Respondents shall contact Larry Bradfish, Assistant Regional Counsel, at (415) 972-3934.

65. The purpose and scope of any such conference held pursuant to this Order shall be

limited to issues involving the implementation of the Response Action required by this Order and the extent to which Respondents intend to comply with this Order. If such a conference is held, the Respondents may present any evidence, arguments or comments regarding this Order, its applicability, any factual determinations on which the Order is based, the appropriateness of any action that the Respondents are ordered to take, or any other relevant and material issue. Any such evidence, arguments or comments should be reduced to writing and submitted to EPA within two (2) Days following the conference. This conference is not an evidentiary hearing, and does not constitute a proceeding to challenge this Order. It does not give Respondents a right to seek review of this Order, or to seek resolution of potential liability, and no official record of the conference will be made. If no conference is requested, any such evidence, arguments or comments must be submitted in writing within five (5) Days following the Effective Date of this Order. Any such writing should be directed to the following address:

Larry Bradfish
Office of Regional Counsel
Environmental Protection Agency
75 Hawthorne Street, ORC-3
San Francisco, CA 94105

66. Respondents are hereby placed on notice that EPA will take any action that may be necessary in the opinion of EPA for the protection of public health and welfare and the environment, and Respondents may be liable for the costs of those actions under Section 107(a) of CERCLA, 42 U.S.C. § 9607(a).

XII. ENDANGERMENT AND EMERGENCY RESPONSE

67. In the event of any action or occurrence during the performance of the work that causes or threatens to cause a release of a hazardous substance or that may present an immediate threat to public health or welfare or the environment, Respondents shall immediately take all

appropriate action(s) to prevent, abate, or minimize the threat, and shall immediately notify EPA's primary OSC, or, if the primary OSC is unavailable, EPA's alternate OSC, as designated below in Paragraph 73. If neither of these persons is available, Respondents shall notify the EPA Emergency Response Unit, Region 9, by calling (800) 300-2193. Respondents shall take such action(s) in consultation with EPA's OSC and in accordance with all applicable provisions of this Order, including but not limited to the approved Health & Safety Plan.

68. Nothing in the preceding Paragraph shall be deemed to limit any authority of the United States to take, direct, or order all appropriate action to protect human health and the environment or to prevent, abate, or minimize an actual or threatened release of hazardous substances at or from the Site.

XIII. MODIFICATION OF WORK REQUIRED

69. In the event of unanticipated or changed circumstances at the Site, Respondents shall notify the EPA OSC by telephone within twenty-four (24) hours of discovery of the unanticipated or changed circumstances. This verbal notification shall be followed by written notification postmarked no later than within three (3) Days of discovery of the unanticipated or changed circumstances.

70. The Branch Chief may determine that in addition to tasks addressed herein, additional work may be required to address the unanticipated or changed circumstances referred to in Paragraphs 67 and 69. Where consistent with Section 106(a) of CERCLA, the Branch Chief may direct, as an amendment to this Order, that Respondents perform these tasks in addition to those required herein. Respondents shall implement the additional tasks that the Branch Chief identifies. The additional work shall be completed according to the standards, specifications, and schedules set forth by the Branch Chief in any modifications to this Order.

XIV. DESIGNATED PROJECT MANAGERS

71. EPA designates Christopher Weden, an employee of EPA Region 9, as its primary OSC and designated representative at the Site, who shall have the authorities, duties, and responsibilities vested in the OSC by the NCP. This includes, but is not limited to, the authority to halt, modify, conduct, or direct any tasks required by this Order or undertake the Response Action (or portions of the Response Action) when conditions at the Site present or may present a threat to public health or welfare or the environment as set forth in the NCP. Within five (5) Days of the Effective Date of this Order, Respondents shall designate a Project Coordinator who shall be responsible for overseeing Respondent' implementation of this Order. To the maximum extent possible, all oral communications between Respondents and EPA concerning the activities performed pursuant to this Order shall be directed through EPA's OSC and Respondent's Project Coordinator. All documents, including progress and technical reports, approvals, and other correspondence concerning the activities performed pursuant to the terms and conditions of this Order, shall be delivered in accordance with Paragraph 50, above.

72. EPA and Respondents may change their respective OSC and Project Coordinator. Notification of such a change shall be made by notifying the other party in writing at least five (5) Days prior to the change, except in the case of an emergency, in which case notification shall be made orally followed by written notification as soon as possible.

73. Consistent with the provisions of this Order, the EPA designates Robert Wise as an alternate OSC, in the event Christopher Weden is not present at the Site or is otherwise unavailable. During such times, Robert Wise shall have the authority vested in the OSC by the NCP, as set forth in Paragraph 71 above.

74. The absence of the EPA OSC from the Site shall not be cause for the stoppage of work. Nothing in this Order shall limit the authority of the EPA OSC under federal law.

XV. SITE ACCESS

75. Respondents shall permit EPA and its authorized representatives, including its contractors and the State, to have access at all times to the Site to monitor any activity conducted pursuant to this Order and to conduct such tests or investigations as EPA deems necessary. Nothing in this Order shall be deemed a limit on EPA's authority under federal law to gain access to the Site.

76. To the extent that Respondents require access to property other than Property that they own to carry out the terms of this Order, Respondents shall, within a reasonable time to implement the requirements of this Order, obtain access for: EPA, its contractors, oversight officials, or other authorized representatives; state oversight officials or contractors; and Respondents and their authorized representatives. If Respondents fail to gain access within the time period necessary to implement the requirements of this Order, Respondents shall continue to use best efforts to obtain access until access is granted. For purposes of this Paragraph, "best efforts" include, but are not limited to, the payment of money as consideration for access. If access is not provided within the time referenced above, EPA may obtain access under Sections 104(e) or 106(a) of CERCLA and recover any costs incurred pursuant to Section XVI of this Order.

XVI. REIMBURSEMENT OF OVERSIGHT COSTS

77. Respondents shall reimburse EPA, on written demand, for all response costs incurred by the United States in overseeing Respondents' implementation of the requirements of this Order, unless otherwise exempted from this requirement by federal law. EPA may submit to

Respondents on a periodic basis a bill for all response costs incurred by the United States with respect to this Order. Respondents shall, within thirty (30) Days of receipt of the bill, remit by cashier's or certified check for the amount of those costs made payable to the "Hazardous Substance Superfund," to the following address:

U.S. Environmental Protection Agency
Region 9 Superfund
P.O. Box 371099M
Pittsburgh, PA 15251

Respondents shall send a cover letter with any check and the letter shall identify the All Metals Processing Company Site by name and make reference to this Order, including the EPA docket number stated above. Respondents shall send notification of any amount paid, including a photocopy of the check, simultaneously to the EPA OSC.

78. Interest at the rate established under Section 107(a) of CERCLA shall begin to accrue on the unpaid balance from the due date of the original demand notwithstanding any dispute or objection to any portion of the costs.

XVII. DELAY IN PERFORMANCE

79. Any delay in the performance of any requirement of this Order that, in the EPA's sole judgment and discretion, is not properly justified by Respondents under the terms of this Section shall be considered a violation of this Order. Any delay in performance of any requirement of this Order shall not affect any other obligation of Respondents under the terms and conditions of this Order.

80.. Respondents shall notify EPA of any delay or anticipated delay in performing any requirement of this Order. Such notification shall be made by telephone to EPA's primary OSC within twenty-four (24) hours after Respondents first knew or should have known that a delay

might occur. Respondents shall adopt all reasonable measures to avoid or minimize any such delay. Within three (3) Days after notifying EPA by telephone, Respondents shall provide written notification fully describing the nature of the delay, any justification for delay, any reason why the Respondents should not be held strictly accountable for failing to comply with any relevant requirements of this Order, the measures planned and taken to minimize the delay, and a schedule for implementing the measures that will be taken to mitigate the effect of the delay. Increased costs or expenses associated with implementation of the activities called for in this Order are not justifications for any delay in performance.

81. If Respondents are unable to perform any activity or submit any document within the time required under this Order, the Respondents may, prior to the expiration of the time, request an extension of time in writing. The extension request shall include a justification for the delay. The submission of an extension request shall not itself affect or extend the time to perform any of Respondent's obligations under this Order.

82. If EPA determines that good cause exists for an extension of time, it may grant a request made by Respondents pursuant to Paragraph 81 above, and specify in writing to the Respondents the new schedule for completion of the activity or submission of the document for which the extension was requested.

XVIII. RECORD PRESERVATION

83. Respondents shall maintain, during the pendency of this Order, and for a minimum of five (5) years after EPA provides notice to Respondents that the work has been completed, a depository of the records and documents required to be prepared under this Order. In addition, Respondents shall retain copies of the most recent version of all documents that relate to hazardous substances at the Site and that are in their possession or in the possession of

their employees, agents, contractors, or attorneys. After this five-year period, Respondents shall notify EPA at least thirty (30) Days before the documents are scheduled to be destroyed. If EPA so requests, Respondents shall provide these documents to EPA.

XIX. ENFORCEMENT AND RESERVATIONS

84. EPA reserves the right to bring an action against Respondents under Section 107 of CERCLA, 42 U.S.C. § 9607, for recovery of any response costs incurred by the United States related to this Order or otherwise incurred at the Site and not reimbursed by Respondent. This reservation shall include but not be limited to past costs, direct costs, indirect costs, the costs of oversight, and the costs of compiling the cost documentation to support oversight costs, as well as accrued interest as provided in Section 107(a) of CERCLA, 42 U.S.C. § 9607(a).

85. Notwithstanding any other provision of this Order, at any time during the Response Action, EPA may perform its own studies, complete the Response Action (or any portion of the Response Action) and seek reimbursement from Respondents for its costs, or seek any other appropriate relief.

86. Nothing in this Order shall preclude EPA from taking any additional enforcement action, including modification of this Order or issuance of additional Orders, or additional remedial or removal actions as EPA may deem necessary, or from requiring Respondents in the future to perform additional activities pursuant to CERCLA, 42 U.S.C. §§ 9607(a), et seq., or any other applicable law. Respondents may be liable under CERCLA Section 107(a) for the costs of any such additional actions.

87. Notwithstanding any provision of this Order, the United States hereby retains all of its information gathering, inspection and enforcement authorities and rights under CERCLA, the Resource Conservation and Recovery Act, or any other applicable statutes or regulations.

88. Notwithstanding compliance with the terms of this Order, including the completion of the EPA-approved Response Action, Respondents is not released from liability, if any, for any enforcement actions beyond the terms of this Order taken by EPA.

89. EPA reserves the right to take any enforcement action pursuant to CERCLA or any other legal authority, including the right to seek injunctive relief, monetary penalties, reimbursement of response costs, and punitive damages for any violation of law or this Order.

90. EPA expressly reserves all rights and defenses that it may have, including the EPA's right both to disapprove of work performed by Respondents and to request the Respondents to perform tasks in addition to those detailed in Section IX of this Order.

91. This Order does not release Respondents from any claim, cause of action or demand in law or equity, including, but not limited to, any claim, cause of action, or demand that lawfully may be asserted by representatives of the United States or the State.

92. No informal advice, guidance, suggestions, or comments by EPA regarding reports, plans, specifications, schedules, and any other writing submitted by Respondents will be construed as relieving Respondents of their obligation to obtain such formal approval as may be required by this Order.

XX. SEVERABILITY

93. If any provision or authority of this Order or the application of this Order to any circumstance is held by a court to be invalid, the application of such provision to other circumstances and the remainder of this Order shall not be affected thereby, and the remainder of this Order shall remain in force.

XXI. DISCLAIMER

94. The United States, by issuance of this Order, assumes no liability for any injuries or damages to persons or property resulting from acts or omissions by Respondent, or its employees, agents, successors, assigns, contractors, or consultants in carrying out any action or activity pursuant to this Order. Neither EPA nor the United States shall be held as a party to any contract entered into by Respondent, or its employees, agents, successors, assigns, contractors, or consultants in carrying out any action or activity pursuant to this Order. This Order does not constitute a pre-authorization of funds under section 111(a)(2) of CERCLA, 42 U.S.C. § 9611(a)(2).

XXII. PENALTIES FOR NONCOMPLIANCE

95. Respondents are advised pursuant to Section 106(b) of CERCLA, 42 U.S.C. § 9606(b), that violation of this Order or subsequent failure or refusal to comply with this Order, or any portion thereof, may subject Respondents to a civil penalty of up to \$32,500 per day for each day in which such violation occurs, or such failure to comply continues. Failure to comply with this Order, or any portion thereof, also may subject Respondents to liability for punitive damages in an amount three times the amount of any cost incurred by the government as a result of the failure of Respondents to take proper action, pursuant to Section 107(c)(3) of CERCLA, 42 U.S.C. § 9607(c)(3).

XXIII. TERMINATION AND SATISFACTION

96. The provisions of this Order shall be deemed satisfied on Respondent's receipt of written notice from EPA that Respondents have demonstrated to the satisfaction of EPA that all of the terms of this Order, including any additional tasks that EPA has determined to be necessary, have been completed.

Unilateral Administrative Order 9-2007-11

IT IS SO ORDERED: .

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

By: 

Date: 3 July 2007

Daniel A. Meer
Branch Chief, Response, Planning and Assessment Branch
EPA, Region 9

EPA Region 9 Contacts:

Christopher Weden, Federal On-Scene Coordinator
Superfund Division
EPA, Region 9, SFD-9-2
75 Hawthorne Street
San Francisco, CA 94105
(414) 972-3041

Larry Bradfish, Assistant Regional Counsel
Office of Regional Counsel
EPA, Region 9, ORC-3
75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3934

APPENDIX A

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX**

75 Hawthorne Street
San Francisco, CA 94105

MEMORANDUM

SUBJECT: Request for a Time-Critical Removal Action at All Metals Processing Co.-
City of Burbank, County of Los Angeles, California

FROM: Christopher Weden, On-Scene Coordinator
Emergency Response Section (SFD-9-2)

TO: Daniel Meer, Chief
Response, Planning & Assessment Branch (SFD-9)

THRU: Steven Calanog, Acting Chief *SC*
Emergency Response Section (SFD-9-2)

I. PURPOSE

The purpose of this Action Memorandum is to obtain approval to spend up to \$ 1,850,659 in direct extramural costs to mitigate threats to human health and the environment posed by uncontrolled and abandoned hazardous wastes and substances associated with the past electroplating processes at the All Metals Processing Company (the Site). The Site is located at 264 West Spazier Avenue, City of Burbank, and County of Los Angeles, California. The proposed removal of hazardous substances would be taken pursuant to Section 104(a)(1) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9604(a)(1), and Section 300.415 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 C.F.R. § 300.415.

On June 21, 2007, the United States Environmental Protection Agency (U.S. EPA) initiated an emergency response action to mitigate the potential release and off-site migration of acid liquids and plating shop waste from an outdoor treatment system. Authority to expend up to \$200,000 to initiate site stabilization and security measures was granted under the On-Scene Coordinator's (OSC) delegated warrant authority to mitigate the threats posed at the Site. It is estimated that removal activities will require an additional 36 on-site working days to complete. The removal is time-critical due to the presence of corrosive, cyanide and heavy metals wastes in the building and an outdoor waste treatment area that continues to pose a substantial threat of release to the environment, and a threat to human health.

II. SITE CONDITIONS AND BACKGROUND

Site Status: Non-NPL (See 16.A.5)
Category of Removal: Emergency and Time Critical
CERCLIS ID: tbd
SITE ID: 09QP

A. Site Description

1. Physical location

The Site is located at 264 West Spazier Avenue, City of Burbank, and County of Los Angeles, California.

The coordinates of the Site are N 34.16656, W 118.30655. The site is located in a mixed commercial and residential district. It is adjacent and upstream of a flood control channel. Directly to the east of the site is an apartment complex. A graphics arts business is next door to the south. A commercial plumbing supply business is across the street to the west. Directly across the flood control channel to the north is single and multiple family residential. The site is located in Area 2 (Glendale) San Fernando Valley NPL Sites.

2. Site characteristics

The Site consists of brick and mortar building at the end of the Spazier Ave. cul-de-sac. It is adjacent to a flood control channel and the surrounding area is comprised of light industrial/commercial and residential.

The All Metal Processing Co. had the following process lines:

1. A Cadmium plating line that includes cyanide cadmium plating, cyanide copper plating and chromium conversion coating;
2. A Zinc plating line that includes alkaline zinc and nickel plating, nitric acid activation and chromium conversion coating;
3. A Passivation line that includes chromic acid passivation, nitric acid passivation and chromium conversion coating; and
4. A Bronze plating line that includes cyanide bronze plating.

The Company had a zero discharge pre-treatment permit with the City of Burbank. Plating wastes were treated on-site but then shipped off-site for further treatment and/or disposal.

3. Removal site evaluation

On June 6, 2007, the Los Angeles County Fire Department, Health Hazardous Materials Division (HHMD), met with Burbank Fire Department at the Site. HHMD had established contact with the attorney for the estate of the deceased property owner, Helen L. Powers. Tim Roach and his brother Robert Roach owned and operated All Metals Processing Company at the site and rented the 264 West Spazier Avenue property from the estate. The Roach's were evicted from the property and had to be out by April 15, 2007.

The Department of Public Works (DPW) easement, located at the east side of the building, separates it from the open storm water channel by approximately 25 feet and a 12% slope. The fenced area had yellow staining on the dirt at the northeast corner and the exterior wall above had areas of encrusted yellow staining. HHMD samples of this area indicated hexavalent chromium at approximately 18,000 ppm. HHMD data also indicated elevated levels of cadmium and cyanide (See Appendix A, Table 1 for data). The samples document the presence of Federal Hazardous Wastes D006 (cadmium), D007 (chromium) and F006 (spent cyanide plating solution). On the southeast corner of the building has deteriorated brick and mortar from contact with acidic material. It appears that the brick and the mortar have been eaten away and were encrusted both dark and light colored solid material. The south side of the building was adjacent to an apartment building.

On June 7, 2007, the United States Environmental Protection Agency (EPA) was notified by HHMD of this situation, that access to the facility was denied by the property owner's attorney, and the HHMD was unwilling to pursue a search warrant under their authority.

On June 12, 2007, EPA received a written Access Authorization from the Attorney for the Estate of the deceased property owner, dated June 11, 2007. On June 14, 2007, OSCs Weden and Wise, START Contractors, and HHMD conducted an preliminary assessment of the site.

During the assessment, a large quantity of liquid and solid hazardous waste streams were observed. Four plating lines containing acidic, caustic and cyanide solutions were observed. A large number of containers and drums containing a variety of hazardous substances were also observed. According to a former employee, the drums contain the facility's waste. Some of these drums had no accumulation start date or they exceeded the accumulation start date. Several of the drums were in poor condition, and metal corrosion was evident. Many of the drums were in such poor condition they would no longer comply with DOT hazardous material packaging and shipping regulations. Several vats also had visual corrosion and appeared to be leaking.

On June 21, 2007, OSC Wise and START conducted a removal assessment.

The assessment included the inventory, sampling and field hazard categorization of all containers larger than 5 gallons. The inventory is included in Appendix B.

The assessment documented the presence of the following containers:

- 91 vats
- 157 drums
- 107 containers (not drums)
- 3 compressed gas cylinders (propane)
- subterranean clarifier

The hazard classes documented during the assessment are listed below:

Table 1: Hazard Classes and Volumes

<u>Hazard Class</u>	<u>Volume (gallons)</u>
Acid Liquid	280.5
Acid Oxidizing Liquid	1626.5
Base Solid	47.75
Base Liquid	1945.25
Base Oxidizing Liquid	1218.5
Base Oxidizing Solid	152.5
Base Cyanide Liquid	492.5
Cyanide Liquid	506.25
Cyanide Solid	380.5
Oxidizing Liquid	2534
Oxidizing Solid	589.5
Combustible Liquid	2
Flammable Gas	60
Non-Characteristic Liquid	1369.8
Non-Characteristic Solid	457.75

During the assessment, the OSC utilized his Warrant Authority to stabilize the site. The Emergency and Rapid Removal Service (ERRS) repackaged one leaking tank, 1 unstable vat and an overflowing secondary containment into five 250 gallon tanks. The tanks will be stored on-site until disposal can be arranged during the removal.

4. Release or threatened release into the environment of a hazardous substance, or pollutant or contaminant

Data collected by HHMD documented California Hazardous Waste Levels of cadmium, hexavalent chromium and cyanide in the soil on the flood control right-a-way directly adjacent to the structure. Several vats, drums and tanks inside the facility are leaking hazardous substances.

There are 91 vats ranging from less than 100 gallons to over 500 gallons inside the facility that contain plating liquids. A number of these vats are visible corroded and

leaking.

5. National Priorities List ("NPL") status

The Site is not currently on or proposed for inclusion on the NPL. However, it is located in the heart of Area 2 (Glendale) San Fernando Valley NPL Sites.

B. Other Actions to Date

On September 28, 2004, EPA's RCRA program conducted a compliance evaluation inspection at the facility, jointly with the California Regional Water Quality Control Board. Based on the inspection and follow-up information, EPA alleged that All Metals Processing Company and Helen L. Powers Revocable Trust, the owner of the facility at the time, had violated California's hazardous waste statute and regulations, implementing California's hazardous waste program authorized under Subtitle C of RCRA.

On December 10, 2004 EPA issued an administrative order pursuant to RCRA Section 3013, 42 U.S.C. § 6934 requiring All Metals Processing Company to prepare a written proposal to carry out monitoring, testing, analyses, and reporting to determine the nature and extent of hazardous wastes at the All Metals facility. All Metals hired a consultant who did some limited sampling and analyses at the facility. However, All Metals did not provide EPA with the written proposal required under the RCRA Section 3013 Order.

On March 17, 2005, EPA sent All Metals Processing Company a letter notifying All Metals that it intended to bring an administrative action against All Metals Processing Company for alleged violations of RCRA at the All Metals facility. On December 21, 2005, All Metals submitted an Interim Corrective Action Plan to EPA.

On September 28, 2006, EPA sent a Notice of Violation, Compliance Order and Notice of Right to Request a Hearing to All Metals Processing Company and to Helen L. Powers, the trustee for the Helen L. Powers Revocable Trust. The attorney for the Estate of Helen L. Powers filed an answer which indicated that Helen L. Powers had died and the Property had been transferred from the Trust to her before her death. Therefore, the Estate of Helen L. Powers held ownership to the Property. All Metals Processing Company never filed an answer, and EPA obtained a default judgment against All Metals Processing Company on the issue of RCRA liability on May 18, 2007.

Following eviction of All Metals Processing Company from the Site by the Estate

of Helen L. Powers, EPA and the attorney for the Estate continued negotiations to try to reach an agreement whereby the Estate would clean up the Site. The Estate claimed that it lacked the financial resources to clean up the Site unless it could lease the Property to another metal plating operator to allow generation of income to all the cleanup to move forward.

EPA contacted the City of Burbank to determine whether the City was planning on issuing the necessary permits to a new metal plating operator. Following an exchange of information concerning the Site between EPA and the City of Burbank, the Los Angeles County Fire Department investigated the Site on June 6, 2007 and notified EPA's removal program of its findings.

On June 14, 2007, the EPA Emergency Response Section (ERS) conducted a preliminary assessment of the Site in conjunction with HHMD. At the time of the assessment, visqueen with sand bags were placed atop the contaminated soil on the east side of the building as a temporary measure. The City of Burbank has placed its own locks on the facility and the outside gate. No other actions have been taken to abate the threats posed by the abandonment of hazardous substances at this closed facility.

On June 22, 2007, OSC Robert Wise used his warrant authority to stabilize the site. The stabilization consisted of the repackaging of one leaking tank and one bulging vat an overflowing secondary containment into five 250 gallon totes for temporary storage. The tanks will be stored on-site until disposal can be arranged during the removal.

On June 28, 2007, EPA participated in a multi-agency search warrant served by the Federal Bureau of Investigation (FBI). FBI and HHMD Investigation Unit are conducting a joint investigation into the abandonment of All Metals Processing. Other agencies participating in the search warrant included: U.S. Attorney's Office, Burbank Fire Department, Los Angeles Co. Department of Public Works and the California Department of Toxic Substance Control. During the search warrant EPA and its contractors supported sampling operations in cooperation with the FBI's Hazardous Materials Response Team and Hazardous Materials Response Unit. Samples collected will be used to provide evidence of the presence of RCRA Hazardous Waste and confirm the field hazard categorization data. EPA also provided Civil Investigator and contract support in the review of documents seized during the search warrant.

C. State and Local Authorities' Roles

1. State and local actions to date

HHMD attempted to have the land owner clean up the property but were unsuccessful.

2. Potential for Continued State/Local Response

The lead agency for the enforcement action, and for abatement of the hazards posed by the abandonment of hazardous wastes, is EPA. HHMD, on behalf of the State of California, lacks the resources necessary to undertake the required cleanup action. Accordingly, HHMD requested EPA's assistance.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

Pursuant to Section 300.415(b)(2) of the National Contingency Plan ("NCP") the following conditions at the site present a release, and a potential threat of release of a CERCLA hazardous substance, threatening to public health, or welfare, or the environment based upon the following factors:

1. Actual or potential exposure to nearby populations, animals or the food chain from hazardous substances or pollutants or contaminants

There is an actual or potential exposure to nearby populations from hazardous substances at the Site. Hazardous substances abandoned at the Site include plating, rinsing and cleaning solutions, sludges and solids containing heavy metals including chrome and cadmium. Much of these substances are acidic or caustic. Nearby populations may be exposed to hazardous substances in the event deteriorated drums or containers leaked causing incompatible chemicals to mix and generate toxic gases which may be inhaled or flammable gases which may ignite. Additionally, arson is common at abandoned industrial sites. A large fire at this facility could expose nearby populations living downwind to toxic smoke and particulates. The use of large volumes of firefighting water would likely produce contaminated runoff that would flow into the flood control channel and sewers causing a discharge of pollutants and contaminants into surface waters.

Closed and abandoned industrial plants are known to attract trespassers, including children and vagrants. Although the Site is fenced, the outer fence can easily be climbed.

The threats from specific materials at the Site are discussed below:

Cyanide is readily absorbed through the skin, mucous membrane, and by inhalation. Symptoms of cyanide poisoning include anxiety, confusion, vertigo, nausea, convulsions, paralysis, coma, cardiac arrhythmia, and transient respiratory stimulation followed by respiratory failure or death.

Chrome is a heavy metal that Short-term exposure to large amounts of chrome can cause harmful effects on the nervous system, gastrointestinal system, kidneys, and circulatory system. Long-term exposure to low levels, such as those that occur in the work place, can cause damage to the central nervous system, kidneys, blood, gastrointestinal tract, and gingival tissues. Hexavalent Chromium is a confirmed human carcinogen (EPA, World Health Organization, Department of Health and Human Services-DHHS)

Copper, as Blue Copper Sulfate Crystals, can cause irreversible eye damage and severe skin irritation. It is harmful if swallowed or absorbed through the skin. Inhalation of dust may cause irritation to the mucous membranes and upper respiratory tract. Contact with wet skin may cause irritation and burns. Copper Sulfate is toxic to fish and plants if released into rivers and streams via storm sewers.

Cadmium is a naturally occurring element used in metal plating, batteries, alloys and other manufacturing operations. Under acidic conditions, cadmium has the potential to leach from soils to water. It is a carcinogen and teratogen that has been associated with sublethal effects on reproduction at low environmental concentrations. Cadmium is an ecotoxic heavy metal that is an inhalation and ingestion exposure risk. Cadmium bioaccumulates and targets the kidneys, respiratory system and circulatory system, and prostrate. Acute exposure to cadmium can cause harmful effects to the gastrointestinal system. Chronic exposure can cause harmful effects to the lungs, kidneys, and possibly lung and prostrate cancer. The DHHS has determined that cadmium and cadmium compounds may reasonably be anticipated to be carcinogens.

The large quantity of low pH acidic and high pH caustic solutions exhibiting the hazardous waste characteristic of corrosivity presents a direct contact and inhalation threat that could cause severe burns of the skins and lung tissue. Corrosive solutions at the Site are attributed to:

Sulfuric acid is a corrosive material that can burn the skin, eyes, and respiratory tract on direct contact or inhalation of vapors. It can cause acute pulmonary edema or chronic pulmonary diseases from inhalation. When heated or reacted with water, it produces toxic and corrosive fumes.

Nitric acid is a corrosive material that can burn the skin, eyes, and respiratory tract on direct contact or inhalation of vapors. It can cause acute pulmonary edema or chronic pulmonary diseases from inhalation. When heated or reacted with water, it produces toxic and corrosive fumes.

Hydrochloric acid is a strong corrosive that can burn the skin, eyes and mucous membranes on dermal contact. It also is moderately irritating to the respiratory tract when inhaled. Hydrochloric acid produces toxic and corrosive fumes when exposed to water.

Sodium hydroxide is a strongly alkaline and corrosive material. Sodium hydroxide has an irritating effect on all body tissue, causing burns and deep ulcerations. Inhalation can cause damage to the upper respiratory tissue and lung tissue, with effects ranging from mucous membrane irritation to severe pneumonitis.

Other hazardous substances or pollutants and contaminants not discovered to date or not specifically identified herein may exist at the Site. These substances may also pose a threat to human health and the environment.

2. Actual or potential contamination of drinking water supplies

The Site is located in the heart of Area 2 (Glendale) San Fernando Valley NPL Sites. Data collected in the on-site wells in the 4th quarter 2004 and 1st quarter 2005 document the presence of cadmium, chromium and copper in excess of the Maximum Contaminant Levels. The groundwater is used as a drinking water supply.

3. Hazardous substances or pollutants or contaminants in drums, barrels, tanks, or other bulk storage containers, that may pose a threat of release.

There are approximately 11,500 gallons of caustic, acidic, cyanide-bearing and metal-bearing plating process solutions, held in plating tanks, product and waste containers and drums. Many of the drums and containers at the Site are open and improperly marked or labeled. EPA observed leaking containers, process equipment, and piping systems throughout the facility. In addition, numerous RCRA-marked drums of hazardous waste and unmarked containers of process chemicals and wastes were present inside the building and in the back lot area. Some of these drums do not state an accumulation start date. There remains at the Site an undetermined volume of contaminated sludges and liquids in all the plating tanks, wastewater treatment system and secondary containment system awaiting full inventory and characterization.

4. High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate

Contamination of the soils underlying the plating process lines and chemical storage areas is likely. The east side of the building has shown migration of the plating solutions through the wall and the soil between the building and the flood control

channel has levels of several heavy metals. Data collected by HHMD has documented RCRA Toxicity Characteristic Leaching Procedure (TCLP) levels of cadmium and chromium in soil. Cyanide detected in this location is a F006 listed RCRA waste as the source is a cyanide plating vat directly adjacent to the wall

5. Threat of fire or explosion

The chemicals appeared to be segregated according to hazard class. This kept incompatible chemicals separated by distance. However, there were flammable, oxidizing, and reactive chemicals in containers which, if stored for too long, may deteriorate causing a spill. Some of these chemicals can cause a fire and explosion if the chemicals mixed or were exposed to high temperatures. The mixing of strongly acidic and caustic materials could generate sufficient heat to ignite surrounding combustible materials. If a fire engulfed the raw material storage, hazardous waste storage and/or plating line areas, it could release highly toxic chemical vapors into the neighborhood.

6. Availability of other appropriate federal or state response mechanisms to respond to the release

No other appropriate federal, local or state public funding source has been identified. The proposed action exceeds the financial capability of the California State Emergency Reserve Account.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from this Site, if not addressed by implementing the response action selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, or welfare, or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

EPA proposes to inventory, characterize, segregate, bulk re-containerize, and remove for disposal all abandoned hazardous substances and contaminated materials left in drums, containers, tanks, sumps, and drains at the Site. All wastes will be characterized using EPA-approved methodologies and delivered to commercial hazardous waste management facilities that are compliant with EPA's CERCLA Off-Site Rule.

Demolition of the building may be necessary due to gross structural deficiencies associated with leaching of plating solutions through the northern wall. The structure has been red tagged by Burbank Fire Department as unsafe.

EPA will remove a yet to be determined amount of soil from the flood control channel right of way and from beneath the building. Decontamination of the flood control channel walls may also need to be conducted. Further assessment of these walls is needed to make this determination.

EPA will to conduct air monitoring during hazardous waste removal operations to ensure airborne contaminant levels are below health and safety action levels for on-site workers and the general public.

All activities will be performed in conformance with standard health and safety practices that will be outlined in a site-specific Health & Safety Plan. Sampling and analysis activities will conform to EPA-approved methodologies and mandatory specifications for quality assurance and quality control activities.

2. Contribution to remedial performance

The site is located within the Glendale Operable Unit of the San Fernando Valley Area 2 (Crystal Springs) NPL Site. EPA has not finally determined what long term remedial actions will be necessary to protect human health and the environment with regard to subsurface soil contamination and groundwater contamination within the NPL site. The removal action described in this action memo will remove any imminent and substantial endangerment to human health and the environment from uncontrolled releases of hazardous substances at the site that pose a risk of direct dermal or inhalation exposure to persons coming on to the site. This removal action will not address any imminent and substantial endangerment posed by contamination to groundwater at the site or by subsurface contamination at the site that is not removed from the site during this removal action.

3. Description of alternative technologies

Alternative technologies were not considered for the proposed response action.

4. Applicable or relevant and appropriate requirements (ARARs)

Section 300.415(j) of the NCP provides that removal actions must attain ARARs to the extent practicable, considering the exigencies of the situation.

Section 300.5 of the NCP defines applicable requirements as cleanup standards, standards of control, and other substantive environmental protection requirements,

criteria or limitations promulgated under Federal environmental or State environmental or facility siting laws that specifically address a hazardous substance, pollutant, contaminant, remedial action, location or other circumstances at a CERCLA site.

Section 300.5 of the NCP defines relevant and appropriate requirements as cleanup standards, standards of control and other substantive requirements, criteria, or limitations promulgated under Federal environmental or State environmental or facility siting laws that, while not “applicable” to a hazardous substance, pollutant, or contaminant, remedial action, location, or other circumstances at a CERCLA site, address problems or situations sufficiently similar to those encountered at the CERCLA site and are well-suited to the particular Site.

Because CERCLA on-site response actions do not require permitting, only substantive requirements are considered as possible ARARs. Administrative requirements such as approval of, or consultation with, administrative bodies, issuance of permits, documentation, reporting, record keeping, and enforcement are not ARARs for the CERCLA response actions confined to the Site.

The following ARARs have been identified for the proposed response action. All can be attained.

Federal ARARs: Potential Federal ARARs are the RCRA Land Disposal Restrictions, 40 C.F.R. § 268.40 Subpart D; the CERCLA Off-Site Disposal Restrictions, and the U.S. Department of Transportation of Hazardous Materials Regulations, 49 C.F.R. Part 171, 172 and 173.

State ARARs: Potential state ARARs are Characteristics of Hazardous Waste implemented through the California Health and Safety Code, Title 22, § 66261.20, § 66261.21, § 66261.22, § 66261.23, § 66261.24.

5. Project schedule

Emergency removal activities began on June 21, 2007. Removal activities will require approximately six weeks to complete.

B. Estimated Costs

Regional Removal Allowance Costs

ERRS	\$1,000,000
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Extramural Costs Not Funded from the Regional Allowance

START	\$100,000
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Extramural Subtotal	\$1,100,000
Extramural Contingency (20%)	\$220,000
Extramural Total	\$1,320,000

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Given the Site conditions, the nature of the hazardous substances documented on-Site and the potential exposure pathways to nearby populations described in Sections III and IV above, actual or threatened releases of hazardous substances from the Site, if not addressed by implementing the response actions selected in this Action Memorandum, will continue to present an imminent and substantial endangerment to public health or welfare, or the environment.

VII. OUTSTANDING POLICY ISSUES

The amount of chromium contaminated soil removed in coordination with the Remedial Section as past of Area 2 (Glendale) San Fernando Valley NPL Sites will be determined upon completion of the subsurface soil assessment.

VIII. ENFORCEMENT

Please see the attached Confidential Enforcement Addendum for a discussion regarding PRPs and enforcement. In addition to the extramural costs estimated for the proposed action, a cost recovery enforcement action also may recover the following intramural costs:

Intramural Costs

U.S. EPA Direct Costs	\$35,000
U.S. EPA Indirect Costs	
(36.58% of Spending (1,355,000))	<u>\$495,659</u>
TOTAL Intramural Costs	\$530,659

The total EPA extramural and intramural costs for this removal action, based on full-cost accounting practices that will be eligible for cost recovery, are estimated to be \$1,850,659. Of this, an estimated spending of \$1,100,000 comes from the Regional removal allowance.

IX. RECOMMENDATION

This decision document represents an appropriate removal action for the All Metals Processing Company in Burbank, CA, County of Los Angeles, California as developed in accordance with CERCLA and not inconsistent with the NCP. This decision is based on the Administrative Record for the Site.

Because conditions at the Site meet the NCP criteria for a time-critical removal, I recommend that you concur on the determination of imminent and substantial endangerment and the removal action proposed in this Action Memorandum. The total removal action project ceiling if approved will be \$1,850,659, of which an estimated \$1,100,000 comes from the Regional removal allowance. You may indicate your decision by signing below.

Approve: _____



Daniel Meer, Chief
Response, Planning and Assessment Branch

3 July 2007
Date

Disapprove: _____

Daniel Meer, Chief
Response, Planning and Assessment Branch

Date

Direct costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost accounting methodology effective May 2007. These estimates do not include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual costs from this estimate will affect the United States' right to cost recovery.

APPENDIX A: HHMD DATA

HHMD Soil Data Summary					
Sample No.	Contaminant	TCLP Concentration (mg/l)	Total Metals Concentration (mg/kg)	TTLC* (mg/kg)	TCLP (mg/l)
SJ88285	Chromium	540	13,200	2,500	1
SJ88286	Chromium	450	18,700	2,500	5
SJ88288	Cadmium Copper	3.4 -----	7,550 49,600	100 2,500	1 ----
SJ88289	Cadmium	40	1,970	100	1
SJ88290	Cadmium	25	740	100	1
SJ88291	Cadmium Copper Chromium	7.5 ----- 5.4	235 44,100 131	100 2,500 2,500	1 ----- 5
SJ88293	Cadmium	4.6	141	100	1

* Total Threshold Limit Concentration: California Hazardous Waste Toxicity Characteristic determining level

APPENDIX B: START INVENTORY

Sample #	Type	Volume (gallons)	% Full	Total Gallons	Hazard Class
104	Container	200	0	0	AL
121	Container	10	20	2	AL
278	Container	5	5	0.25	AL
301	Container	5	40	2	AL
353	Container	5	90	4.5	AL
354	Container	5	85	4.25	AL
		Total Gallons		13	
77	Drum	55	60	33	AL
103	Drum	30	70	21	AL
246	Drum	25	90	22.5	AL
250	Drum	55	20	11	AL
253	Drum	25	40	10	AL
		Total Gallons		97.5	
31	Vat	75	80	60	AL
57	Vat	40	75	30	AL
63	Vat	80	40	32	AL
83	Vat	80	60	48	AL
		Total Gallons		170	
149	Container	20	80	16	AOL
154	Container	20	15	3	AOL
157	Container	55	65	35.75	AOL
166	Container	30	50	15	AOL
283	Container	5	50	2.5	AOL
291	Container	5	70	3.5	AOL
296	Container	5	90	4.5	AOL
298	Container	5	50	2.5	AOL
299	Container	5	50	2.5	AOL
311	Container	5	50	2.5	AOL
322	Container	5	50	2.5	AOL
349	Container	5	30	1.5	AOL
		Total Gallons		91.75	
76	Drum	55	60	33	AOL
115	Drum	30	15	4.5	AOL
116	Drum	30	40	12	AOL
119	Drum	55	60	33	AOL
146	Drum	55	80	44	AOL
148	Drum	40	80	32	AOL
152	Drum	20	50	10	AOL
155	Drum	55	70	38.5	AOL
208	Drum	55	90	49.5	AOL
230	Drum	55	100	55	AOL
248	Drum	55	50	27.5	AOL
249	Drum	55	100	55	AOL
251	Drum	25	70	17.5	AOL
258	Drum	25	100	25	AOL
259	Drum	25	trace		AOL
264	Drum	55	30	16.5	AOL
285	Drum	20	5	1	AOL
287	Drum	20	5	1	AOL
289	Drum	10	5	0.5	AOL
		Total Gallons		455.5	

Sample #	Type	Volume (gallons)	% Full	Total Gallons	Hazard Class
4	Vat	250		0	AOL
6	Vat	100	75	75	AOL
8	Vat	50	50	25	AOL
9	Vat	50	70	35	AOL
10	Vat	50	70	35	AOL
11	Vat	30	10	3	AOL
15	Vat	100	70	70	AOL
16	Vat	100	5	5	AOL
22	Vat	150	50	75	AOL
39	Vat	100	85	85	AOL
40	Vat	50	80	40	AOL
43	Vat	75	80	60	AOL
54	Vat	80	80	64	AOL
62	Vat	80	30	24	AOL
64	Vat	80	100	80	AOL
66	Vat	80	30	24	AOL
74	Vat	80	80	64	AOL
75	Vat	200	95	190	AOL
95	Vat	125	100	125	AOL
		Total Gallons		1079	
44	Vat	100	80	80	BCNL
45	Vat	75	100	75	BCNL
46	Vat	150	75	112.5	BCNL
47	Vat	250	90	225	BCNL
		Total Gallons		492.5	
163	Container	40	40	16	BL
272	Container	5	100	5	BL
295	Container	5	80	4	BL
297	Container	5	80	4	BL
326	Container	5	75	3.75	BL
333	Container	5	10	0.5	BL
344	Container	5	60	3	BL
359	Container	5	75	3.75	BL
		Total Gallons		40	
99	Drum	55	100	55	BL
105	Drum	55	100	55	BL
108	Drum	55	100	55	BL
125	Drum	55	100	55	BL
126	Drum	55	100	55	BL
174	Drum	55	100	55	BL
175	Drum	55	20	11	BL
180	Drum	55	90	49.5	BL
181	Drum	55	90	49.5	BL
182	Drum	55	80	44	BL
183	Drum	55	70	38.5	BL
184	Drum	55	90	49.5	BL
185	Drum	55	100	55	BL
186	Drum	55	50	27.5	BL
187	Drum	55	80	44	BL

Sample #	Type	Volume (gallons)	% Full	Total Gallons	Hazard Class
188	Drum	55	80	44	BL
189	Drum	55	80	44	BL
190	Drum	55	90	49.5	BL
191	Drum	55	60	33	BL
192	Drum	55	100	55	BL
193	Drum	55	90	49.5	BL
194	Drum	55	90	49.5	BL
195	Drum	55	80	44	BL
196	Drum	55	50	27.5	BL
207	Drum	55	95	52.25	BL
254	Drum	25	20	5	BL
350	Drum	55	70	38.5	BL
		Total Gallons		1190.25	
13	Vat	200	70	140	BL
14	Vat	100	30	30	BL
72	Vat	300	75	225	BL
78	Vat	400	80	320	BL
		Total Gallons		715	
268	Container	5	95	4.8	BOL
269	Container	5	90	4.5	BOL
279	Container	10	10	1	BOL
292	Container	5	50	2.5	BOL
319	Container	5	100	5	BOL
337	Container	5	90	4.5	BOL
		Total Gallons		22.3	
100	Drum	55	100	55	BOL
102	Drum	55	100	55	BOL
127	Drum	55	75	41.25	BOL
130	Drum	55	100	55	BOL
135	Drum	55	80	44	BOL
137	Drum	55	85	46.75	BOL
216	Drum	55	85	46.75	BOL
321	Drum	5	100	5	BOL
		Total Gallons		348.75	
2	Vat	500	50	250	BOL
12	Vat	100	80	80	BOL
20	Vat	250	75	187.5	BOL
23	Vat	30	90	27	BOL
25	Vat	30	75	22.5	BOL
27	Vat	100	50	50	BOL
28	Vat	100	30	30	BOL
37	Vat	200	70	140	BOL
60	Vat	80	75	60	BOL
		Total Gallons		847	
124	Drum	55	50	27.5	BOS
237	Drum	55	100	55	BOS
245	Drum	55	100	55	BOS
		Total Gallons		137.5	
24	Vat	30	50	15	BOS

Sample #	Type	Volume (gallons)	% Full	Total Gallons	Hazard Class
266	Container	10	100	10	BS
336	Container				BS
345	Container	10	50	5	BS
		Total Gallons		15	
161	Drum	20	100	20	BS
362	Drum	15	85	12.75	BS
		Total Gallons		32.75	
132	Container	10	20	2	CL

160	Container	45	5	2.25	CNL
172	Drum	55	30	16.5	CNL
211	Drum	55	85	46.75	CNL
215	Drum	55	80	44	CNL
217	Drum	55	80	44	CNL
218	Drum	55	80	44	CNL
219	Drum	55	70	38.5	CNL
220	Drum	55	90	49.5	CNL
233	Drum	55	85	46.75	CNL
235	Drum	55	60	33	CNL
240	Drum	55	90	49.5	CNL
241	Drum	55	90	49.5	CNL
351	Drum	55	65	36	CNL
48	Vat	30	20	6	CNL
		Total Gallons		504	
210B	Drum	55	90	49.5	CNS
171	Drum	55	100	55	CNS
209	Drum	55	100	55	CNS
210	Drum	55	90	49.5	CNS
226	Drum	55	50	10	CNS
231	Drum	55	80	44	CNS
260	Drum	55	100	55	CNS
261	Drum	55	100	55	CNS
361	Drum	15	50	7.5	CNS
		Total Gallons		380.5	
129	Drum	55	0	0	COL
145	Container	15	100	15	Debris
156	Container	35		0	Debris
142	Drum	55	80	44	Debris
143	Drum	55		0	Debris
		Total Gallons		59	
159	Container	30	95	28.5	NCL
199	Container	20	10	2	NCL
267	Container	5	10	0.5	NCL
270	Container	5	90	4.5	NCL
274	Container	5	60	3	NCL
276	Container	5	40	2	NCL
277	Container	5	1	0.05	NCL

Sample #	Type	Volume (gallons)	% Full	Total Gallons	Hazard Class
293	Container	5	80	4	NCL
294	Container	5	50	2.5	NCL
303	Container	5	80	4	NCL
304	Container	5	10	0.5	NCL
308	Container	5	75	3.75	NCL
309	Container	5	90	4.5	NCL
310	Container	5	90	4.5	NCL
312	Container	5	50	2.5	NCL
314	Container	5	25	1.25	NCL
316	Container	5	25	1.25	NCL
317	Container	5	100	5	NCL
318	Container	5	50	2.5	NCL
320	Container	5	100	5	NCL
324	Container	5	50	2.5	NCL
327	Container	5	50	2.5	NCL
331	Container	5	50	2.5	NCL
334	Container	5	85	4.25	NCL
335	Container	5	50	2.5	NCL
338	Container	5	10	0.5	NCL
340	Container	5	75	3.75	NCL
355	Container	5	85	4.25	NCL
356	Container	5	85		NCL
357	Container	5	50	2.5	NCL
358	Container	5	85	4.25	NCL
360	Container	5	50	2.5	NCL
		Total Gallons		113.8	
73	Drum	55	30	16.5	NCL
123	Drum	55	80	44	NCL
147	Drum	40	75	30	NCL
153	Drum	40	65	26	NCL
170	Drum	55	100	55	NCL
205	Drum	55	60	33	NCL
213	Drum	55	70	38.5	NCL
214	Drum	55	80	44	NCL
221	Drum	55	90	49.5	NCL
222	Drum	55	60	33	NCL
236	Drum	55	50	10	NCL
255	Drum	55	60	33	NCL
257	Drum	55	90	49.5	NCL
263	Drum	55	100	55	NCL
352	Drum	55	80	44	NCL
		Total Gallons		561	
29	Vat	100	40	40	NCL
36	Vat	30	30	9	NCL
59	Vat	80	70	56	NCL
61	Vat	80	50	40	NCL
70	Vat	400	1	4	NCL
71	Vat	80	75	60	NCL
80	Vat	300	80	240	NCL

Sample #	Type	Volume (gallons)	% Full	Total Gallons	Hazard Class
81	Vat	80	40	32	NCL
82	Vat	80	60	48	NCL
87	Vat	80	75	60	NCL
88	Vat	80	80	64	NCL
89	Vat	70	60	42	NCL
		Total Gallons		695	
206					NCL
158	Container	20	100	20	NCS
271	Container	5	50	2.5	NCS
273	Container	5	20	1	NCS
286	Container	10	40	4	NCS
307	Container	5	100	5	NCS
323	Container	3	25	0.75	NCS
342	Container	5	30	1.5	NCS
		Total Gallons		34.75	
98	Drum	15	0	0	NCS
106	Drum	55	100	55	NCS
107	Drum	55	100	55	NCS
109	Drum	55	100	55	NCS
110	Drum	55	100	55	NCS
138	Drum	55	100	55	NCS
162	Drum	20		0	NCS
224	Drum	55	50	10	NCS
229	Drum	55	40	12	NCS
243	Drum	55	90	49.5	NCS
262	Drum	55	90	49.5	NCS
284	Drum	3.5	90	3	NCS
363	Drum	40	60	24	NCS
		Total Gallons		423	
117	Container	15	50	7.5	OL
118	Container	15	50	7.5	OL
122	Container	10	50	5	OL
151	Container	55	60	33	OL
203	Container	20	60	12	OL
288	Container	10	30	3	OL
300	Container	20	40	8	OL
302	Container	5	100	5	OL
305	Container	5	75	3.75	OL
306	Container	5	40	2	OL
313	Container	5	30	1.5	OL
315	Container	5	25	1.25	OL
328	Container	5	75	3.75	OL
329	Container	5	75	3.75	OL
341	Container	5	85	4.25	OL
343	Container	5	50	2.5	OL
346	Container	5	50	2.5	OL
347	Container	5	90	4.5	OL
		Total Gallons		110.75	

Sample #	Type	Volume Container (gallons)	% Full	Total Gallons	Hazard Class
101	Drum	55	100	55	OL
113	Drum	55	100	55	OL
114	Drum	15	50	7.5	OL
120	Drum	30	75	22.5	OL
131	Drum	55	5	2.75	OL
134	Drum	55	90	49.5	OL
139	Drum	55	80	44	OL
140	Drum	55	75	41.25	OL
141	Drum	55	75	41.25	OL
150	Drum	55	75	41.25	OL
173	Drum	55	10	5.5	OL
197	Drum	55	100	55	OL
198	Drum	55	100	55	OL
200	Drum	55	50	27.5	OL
201	Drum	55	75	41.25	OL
202	Drum	55	80	44	OL
204	Drum	55	95	52.25	OL
225	Drum	55	80	44	OL
228	Drum	55	50	10	OL
234	Drum	55	75	41.25	OL
238	Drum	55	80	44	OL
244	Drum	55	70	38.5	OL
252	Drum	25	100	25	OL
256	Drum	25	90	22.5	OL
		Total Gallons		865.75	
1	Vat	350	75	262.5	OL
5	Vat	100	90	90	OL
7	Vat	50	60	30	OL
17	Vat	100	50	50	OL
18	Vat	100	70	70	OL
19	Vat	50	50	25	OL
21	Vat	250	75	187.5	OL
30	Vat	150	80	120	OL
33	Vat	50	90	45	OL
38	Vat	100	5	5	OL
42	Vat	100	75	75	OL
50	Vat	80	50	40	OL
51	Vat	80	75	60	OL
52	Vat	80	75	60	OL
53	Vat	80	60	48	OL
55	Vat	50	80	40	OL
56	Vat	50	80	40	OL
84	Vat	80	75	60	OL
85	Vat	80	40	32	OL
86	Vat	80	75	60	OL
90	Vat	150	75	112.5	OL
91	Vat	150	25	37.5	OL
94	Vat	150	1	1.5	OL
		Total Gallons		1551.5	

Sample #	Type	Volume (gallons)	% Full	Total Gallons	Hazard Class
364					OL
136	Bag	75	90	67.5	OS
169	Container	35	50	17.5	OS
265	Container	70	5	3.5	OS
290	Container	15	80	12	OS
325	Container	5	25	1.25	OS
348	Container	5	30	1.5	OS
		Total Gallons		103.25	
144	Drum	55	30	16.5	OS
176	Drum	55	100	55	OS
177	Drum	55	100	55	OS
212	Drum	55	80	44	OS
223	Drum	55	80	44	OS
227	Drum	55	90	49.5	OS
232	Drum	55	65	26	OS
239	Drum	55	85	46.75	OS
242	Drum	55	80	44	OS
		Total Gallons		380.75	
34	Vat	150	70	105	OS
133	Cart	5	10	0.5	
		Total Gallons		105.5	
111	Cylinder	20	100	20	FG
167	Cylinder	20	100	20	FG
168	Cylinder	20	100	20	FG
		Total Gallons		60	

APPENDIX C: INDEX TO THE ADMINISTRATIVE RECORD

Index To the Administrative Record

- 1. HHMD Data**
- 2. START Inventory**
- 3. Preliminary Ecological Evaluation of Soil Data, All Metals Processing Company, Burbank, California, EPA, December 16, 2005**
- 4. EPA National Primary Drinking Water Standards**
- 5. All Metals Facility Monitoring Wells, Field Parameters and Metals Data Summary, Samples Collected During 4th Q 2004 and 1st Q 2005 RI Monitoring Well Sampling Events**
- 6. Waste Management Division, RCRA Enforcement Office, RCRA Compliance Evaluation Report, September 28, 2004**
- 7. RCRA Order, Docket No. RCRA-9-2005-0002**
- 8. MSDS Summary**
- 9. ATSDR Tox Faq - Cadmium**
- 10. ATSDR Tox Faq - Chromium**
- 11. ATSDR Tox Faq -Cyanide**